

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 97-3654-CIV-JORDAN
MAGISTRATE JUDGE BANDSTRA

AMERICARE DIAGNOSTICS, INC.,
a subsidiary of AMERICARE
HEALTH SCAN, INC., AMERICARE
TRANSTECH, INC., INTERNATIONAL
MEDICAL ASSOCIATES, INC., and
JOSEPH P. D'ANGELO,

Plaintiffs,

vs.

TECHNICAL CHEMICALS AND
PRODUCTS, INC., JACK L.
ARONOWITZ, SIMPLEX MEDICAL
SYSTEMS, INC., ANALYTE
DIAGNOSTICS, INC., HENRY B.
SCHUR, and SMLX TECHNOLOGIES, INC.

Defendants. _____/

NOTICE OF TAKING DEPOSITION DUCES TECUM

TO:

Dennis A. Nowak, Esq.
Tew & Nowak
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304 Miami Centre
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Phone (305) 577-3900
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Sun Trust Int'l Ctr.,
28th Floor
One Southeast 3rd Av.
Miami, FL 33131-1704
Phone (305) 374-5600
Fax (305) 374-5095

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, the Plaintiffs will take the deposition on oral examination of the following individual, or entity by videotape means, from day to day until completed as follows:

EXHIBIT

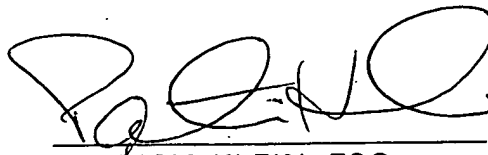
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DEPONENT: JOEL MITCHEN
DATE: December 13, 1999 TIME: 10:00 a.m.
PLACE: Conference Room at Hollyday Inn
6161 Grand Avenue, Gurnee, IL 60031

Said deposition will be taken upon oral examination, before a Court Reporter, from Fisher Court Reporting, Notaries Public, in and for the State of Illinois at Large, or some other officer duly authorized by law to take depositions in the State of Illinois. This deposition is being taken for the purpose of discovery, for use at trial, or both of the foregoing, or for such other purposes as are permitted under the applicable and governing rules of the Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished on November 22, 1999, by facsimile and mail to: Dennis A. Nowak, Esq., Tew & Nowak, 201 South Biscayne Boulevard, 304 Miami Centre, Miami, Florida 33131, James P.E. Roen, Esq., Levey & Associates, P.A., Gables International Plaza, Suite 1108, Coral Gables, Florida 33134, Bernardo Burstein, Esq., Akerman, Senterfitt & Eddison, P.A., Sun Trust International Center, 28th Floor, One Southeast Third Avenue, Miami, FL 33131-1704 and Louis Gigliotti, Esq., Malloy & Malloy, P.A., 2800 SW 3rd Avenue, Miami, FL 33129.



PATRICIA KLEIN, ESQ.
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MIYOSHI D. SMITH, ESQ.
Florida Bar No. 398543
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SOUTHERN DISTRICT OF FLORIDA
CASE NO. 97-3654-CIV-JORDAN/BANDSTRA

AMERICARE DIAGNOSTICS, INC.,
a subsidiary of AMERICARE
HEALTH SCAN, INC., AMERICARE
TRANSTECH, INC., INTERNATIONAL
MEDICAL ASSOCIATES, INC., and
JOSEPH P. D'ANGELO,

Plaintiffs,

vs.

TECHNICAL CHEMICALS AND
PRODUCTS, INC., JACK L.
ARONOWITZ, SIMPLEX MEDICAL
SYSTEMS, INC., ANALYTE
DIAGNOSTICS, INC., HENRY B.
SCHUR, and SMLX TECHNOLOGIES, INC.

Defendants. _____/

SUBPOENA FOR DEPOSITION DUCES TECUM

THE STATE OF ILLINOIS:

TO: JOEL MITCHEN
1813 E. Grand Avenue
Lindenhurst, IL 60046

YOU ARE COMMANDED to appear for deposition, before a person authorized to take depositions, at: **Conference Room at Hollyday Inn, 6161 Grand Avenue, Gurnee, IL 60031** on **December 13, 1999 at 10:00 a.m.** You are to bring with you at the time and place of the deposition the following:

SEE ATTACHED SCHEDULE "A".

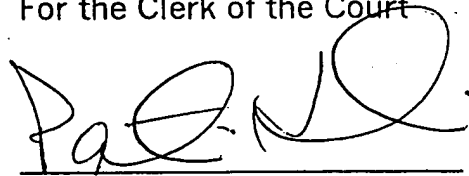
CASE NO. 97-3654-CIV-LENARD/BANDSTRA

Your formal deposition will be taken as it relates to this case pursuant to Fed. R. Civ. P. 30. You have the right to object to the deposition pursuant to this subpoena within (14) days by giving written notice to the attorney whose name appears on this subpoena. If you fail to:

1. appear for your deposition; or
2. object to this subpoena;

you may be in contempt of court. You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

PATRICIA KLEIN, ESQ.
Florida Bar No. 975516
For the Clerk of the Court

A handwritten signature in dark ink, appearing to read 'Patricia Klein', is written over a horizontal line.

Attorney for Plaintiffs
PATRICIA KLEIN, ESQ.
Florida Bar No. 975516
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SCHEDULE "A"

1. All documents¹ pertaining to² your employment with Technical Chemicals & Products, Inc. (TCPI) including any subsidiary or division, officer, director, employee, attorney or agent of said Corporation.
2. All documents pertaining to Technical Chemicals & Products, Inc.'s T.D. Glucose Technology.
3. All documents pertaining to Henry B. Schur.
4. All documents pertaining to Technical Chemicals & Products, Inc.'s transdermal technology for the collection of glucose.
5. All documents pertaining to Technical Chemicals & Products, Inc.'s Pharmetrix Division.
6. All documents pertaining to Patent No. 5,462,064.
7. All documents pertaining to any confidentiality agreement that you have or had with Technical Chemicals & Products, Inc. or any company acquired by Technical Chemicals & Products, Inc.
8. All documents pertaining to the noninvasive collection of body fluid(s), including the noninvasive transdermal collection of body fluid analytes, pursuant to any invention, device or method developed or invented by Technical Chemicals & Products, Inc. and/or its Pharmetrix Division.
9. All documents pertaining to Americare Health Scan, Inc., Americare Diagnostics, Inc., Americare Transtech, Inc. and Dr. Joseph D'Angelo.

¹The word "document" shall mean any writing, recording or photograph in your actual or constructive possession, custody, care or control, which pertain directly or indirectly, in whole or in part, either to any of the subjects listed below or to any other matter relevant to the issues in this action, including, but not limited to: correspondence, memoranda, notes, messages, diaries, minutes, books, reports, charts, legends, invoices, computer printouts, micro films, video tapes or tape recordings.

²The words "pertain to" or "pertaining to" mean: relates to, refers to, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.